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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/802,944	03/18/2004	Takashi Nagashima	119154	5166
25944	7590	12/06/2005		
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			EXAMINER SAWHNEY, HARGOBIND S	
			ART UNIT 2875	PAPER NUMBER

DATE MAILED: 12/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

JK

Office Action Summary	Application No.		Applicant(s)	
	10/802,944		NAGASHIMA ET AL.	
	Examiner		Art Unit	
	Hargobind S. Sawhney		2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/18/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The response to the Restriction Requirement filed on September 19, 2005 has been entered. Applicant's argument for withdrawal of the Restriction Requirement was found convincing. Therefore, the restriction requirement has been withdrawn, and all claims have been examined in this non-final office action.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Graven (US Patent No.: 3,673,579).

Regarding claims 1-5, Graven ('579) discloses a light pen 23 (Figure 12) comprising:

- a rod-like body portion 98 (Figure 12, column 9, line 31); a leading end portion 87 removably – required for replacement of internals - mounted to the body portion 98 (Figure 12, column 9, lines 14 and 15); a light emitter 88 (Figure 12, column 9, line 16); an ON/OFF switch 90 (Figure 12, column 9, lines 21-24); the light emitter 88 and the switch 90 disposed at the leading end portion 87 (Figure 12); the light emitter portion including a

light emitter – light bulb – (Figure 12); the switch portion 90 operationally coupled to the switch 92 (Figure 12, column 9, line 21-24); the light emitting portion 88 including a light emitting element – a pair of filaments – (Figure 12); a current controlled element 52 (Figure 12, column 10, lines 33-37 and 42-45); and a power source 99 energizing the emitter 88 (Figure 12, column 10, line 33-35).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schumacher (US Patent No.: 4,315,282) in view of Graven (US Patent No.: 3,673,579).

Regarding Claim 6, Schumacher ('282) discloses a presentation system (Figure 1) comprising a light pen 18:

- a material presentation apparatus (Figure 1, column 5, line 2) comprising:
 - a material mounting pedestal 20 (Figure 1, column 5, line 18); the material mounted on the mounting pedestal 20 from which a virtual screen is generated (Figure 1, column 5, lines 17-20); a photographic section 24 supported on the material mounting pedestal 20 photographing the

- material (Figure 1, column 5, lines 17-20) on a display device 12 (Figure 1, column 5, lines 2 and 3); an image output section 31 (Figure 1, column 5, lines 41-45); a controller section 55 executing image processing (Figure 1, column 5, lines 4-9 and 63-68); the controller section calculating coordinates of the light emitter, and performing a predetermined pointing function at the coordinates of the display device 12 corresponding to the calculated coordinates of the emitter on the virtual screen upper surface of the material mounting pedestal 20-; and
- a light pen 18 (Figure 1, column 5, line 12) emitting light on the virtual screen - upper surface of the material-mounting pedestal 20.

However, Schumacher ('282) does not specifically teach including a leading end portion removably mounted on a rod-like body portion.

On the other hand, Graven ('579) discloses a light pen 23 (Figure 12) comprising:

- a rod-like body portion 98 (Figure 12, column 9, line 31); a leading end portion 87 removably – required for replacement of internals - mounted to the body portion 98 (Figure 12, column 9, lines 14 and 15); a light emitter 88 (Figure 12, column 9, line 16); an ON/OFF switch 90 (Figure 12, column 9, lines 21-24).

It would be have been obvious to one of ordinary skill in the art at the time of the invention to modify the light pen of Schumacher ('282) by providing the leading end portion removably mounted on a rod-like body portion as taught by Graven ('579) for

benefit and advantage facilitating handling of the light pen, and replacement of the light emitters and the power source elements.

Regarding Claim 8, Schumacher ('282) in view of Graven ('579) discloses the presentation system further including:

- a monitor 19 – combination of elements 12 and 19 (Figure 1) – displaying an image photographed by the photographing section 24 (Schumacher, Figure 1, column 5, lines 17-20); and
- the virtual screen – the portion bearing the presentation material on the material mounting pedestal 20 – being set on the monitor 19 (Schumacher, Figure 1); and the photographic section 24 photographing the monitor 19 (Schumacher, Figure 1).

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schumacher (US Patent No.: 4,315,282) in view of Graven (US Patent No.: 3,673,579) as applied to claim 6 above, and further in view of Tang et al. (US Patent No.; 5,239,373).

Regarding Claim 7, Schumacher ('282) in view of Graven ('579) discloses the presentation system further including a photographic section and a presentation material-mounting table. However, neither combined nor individual teaching of Schumacher ('282) and Graven ('579) discloses an optical filter disposed in the optical path of the photographing section.

On the other hand, Tang et al. ('373) discloses a presentation system (Figures 3 and 7 and 4) comprising an optical filter 42 disposed in the optical path of the

photographic section 12 allowing photographing only the light of a specific wavelength (Figure 7, column 7, lines 7-11).

It would be have been obvious to one of ordinary skill in the art at the time of the invention to modify the presentation system of Schumacher ('282) in view of Graven ('579) by providing and positioning the optical filter as taught by Tang et al. ('373) for benefit and advantages of blocking the images, not desired, from being detected by the camera.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Moore (U.S. Patent No. 6,657,618 B2), Kuo (U.S. Patent No. 6,623,618 B1), Bruning (U.S. Patent Application Pub. No. US 2002/0135536 A1), Cook (U.S. Patent Application Pub. No. US 2002/0021291 A1), Challender et al. (U.S. Patent No. 6,154,200), Perona et al. (U.S. Patent No. 6,044,165), Bartholow (U.S. Patent No. 4,677,428) and Goodhouse (U.S. Patent No. 1,780,125).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hargobind S. Sawhney whose telephone number is 571 272 2380. The examiner can normally be reached on 8:00 A.M. - 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571 272 2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2875

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HSS
11/28/05


Stephen Husar
Primary Examiner